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COLUMBIA, SOUTH CAROLINA

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**VIA ELECTRONIC FILING**

Mr. Randall Dong, Hearing Officer  
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**Re: Time Warner Cable Information Services' Applications  
Dockets 2008-325-C, 2008-326-C, 2008-327-C, 2008-328-C, 2008-329-C**

Dear Randall:

Pending before you are our motions to compel in the referenced dockets. Please consider this letter to be a supplemental memorandum in support of those motions.

We have now filed testimony in all five of the cases. Some of that testimony addresses issues regarding the financial condition of the incumbent LECs. Our witnesses used the annual reports of the companies to form some of the opinions they offered. I expect the incumbent companies to respond to that testimony by offering opinions on the financial condition of those incumbent companies, and of course they have far more financial information available to them. The incumbents' testimony is due December 8 – 10. I am very concerned about our ability to respond to that testimony in our rebuttal testimony due the following week, December 15 – 17, particularly to the extent that the incumbents use financial information that we don't have access to. We tried to address this situation by serving the discovery requests which are the subject of our motions to compel. For these reasons I urge you to move forward with a ruling on those motions as soon as possible.

If you have any questions please contact me.

Yours truly,

ROBINSON, MCFADDEN & MOORE, P.C.

Frank R. Ellerbe, III

FRE/bds

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